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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,279-	07/22/2003	Clifton Lind	0988.1039010	7465
35236	7590	09/21/2005	EXAMINER	
THE CULBERTSON GROUP, P.C. 1114 LOST CREEK BLVD. SUITE 420 AUSTIN, TX 78746			NGUYEN, BINH AN DUC	
			ART UNIT	PAPER NUMBER
			3713	

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/624,279	LIND ET AL.
	Examiner	Art Unit
	Binh-An D. Nguyen	3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 March 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-23 and 25 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

The Amendment filed March 30, 2005 has been received. According to the Amendment, claims 1,6,10,14, 16, 21, and 23 have been amended; claim 24 has been canceled; and new claim 25 has been added. Currently, claims 1-23 and 25 are pending in the application. Acknowledgment has been made.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 7-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 is vague and indefinite since the placement structure of the video displays is unclear.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 14, 16-18, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Hedrick et al. (6,135,884).

Referring to claim 1, Hedrick et al. teaches a gaming machine comprising: a cabinet (Fig.2); a game video display (220) mounted on a front side of the cabinet; a first additional video display (219) mounted on the front side of the cabinet above the game video display, the first additional video display making up substantially the entire area of the front side of the gaming machine above the game video display (Figs. 12A, 13A); a player control device (230) mounted below the game video display on the front side of the cabinet, the player control device being separate from the game video display; and a second additional video display (230) mounted on the front side of the cabinet below the player control device, the second additional video display extending substantially the entire width of the front side of the gaming machine in an area immediately below the player control device (Fig. 2).

Referring to claim 14 Hedrick et al. teaches a gaming method of making a game presentation at a gaming machine, comprising: displaying a first game presentation component on a first video display (220) mounted on a front side of the gaming machine, the first game presentation component comprising a portion of a first game presentation (5:41-55); simultaneously with displaying the first game presentation component, displaying a second game presentation component on a second video display (219) mounted on the front side of the gaming machine, the second game presentation component comprising a portion of the first game presentation (5:56-64); and simultaneously with displaying the first game presentation component, displaying a

third game presentation component on a third video display (223) mounted below a player control device on the front side of the gaming machine, the third game presentation component comprising a portion of the first game presentation (5:64-6:5).

Referring to claim 16, Hedrick et al. teaches a method of controlling a gaming machine, comprising: displaying a first game presentation through a number of video displays mounted on a front side of the gaming machine (Fig. 2), at least one of the number of video displays being mounted below a player control device, and each respective video display showing a respective portion of the first game presentation (5:41-6:5); producing a presentation switching instruction at least partially based on conditions of a gaming system in which the gaming machine is included (15:27-16:5); and in response to the presentation switching instruction, displaying a second game presentation through the video displays mounted on the front side of the gaming machine, each respective video display showing a respective portion of the second game presentation (16:6-65; 18:64-19:17; 21:5-54).

Referring to claim 17, Hedrick et al. teaches monitoring usage of the gaming machine or additional gaming machines in the gaming system to produce usage information and wherein the presentation switching instruction is issued in response to the usage information (19:54-60).

Referring to claim 18, Hedrick et al. teaches simultaneously storing a first game presentation instruction set and a second game presentation instruction set at the gaming machine, the first game presentation instruction set being executable to display

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the first game presentation and the second game presentation instruction set being executable to display the second game presentation (10:7-40).

Referring to claim 20, Hedrick et al. teaches producing the presentation switching instruction at least partially based on conditions of the gaming system is performed based on conditions of the gaming system monitored by the gaming machine (7:6-20).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 14-18, 20-23, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alcorn et al. (6,620,047) in view of Hedrick et al. (6,135,884).

Referring to claims 1, 14, 16, and 21, Alcorn et al. teaches a gaming system and method (having means or steps thereto) comprising: a cabinet (Fig. 1); a game video display mounted on a front side of the cabinet; a first additional video display mounted on the front side of the cabinet above the game video display, the first additional video display making up substantially the entire area of the front side of the gaming machine above the game video display; a player control device mounted on the front side of the cabinet, the player control device being separate from the game video display or first additional video display or being or integrated with the game video display (3:54-4:12).

Alcorn et al. does not explicitly teach the limitation of a second additional video display mounted on the front side of the cabinet below the player control device (claims 1, 14, and 16). Hedrick et al., however, teaches a gaming device having a second additional video display mounted on the front side of the cabinet below the player control device (Figs.7-8). It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to provide an additional display of Hedrick et al. to Alcorn et al.'s electronic gaming system to enhance user interface in gaming machine by providing more bonus game information to game player.

Referring to claims 3, 4, 21 and 25, Alcorn et al. teaches a gaming system and method (having means or steps thereto) comprising: a cabinet; a game video display mounted on a front side of the cabinet; a player control video display (touch screen) forming at least a portion of a forwardly projecting ledge located below the game video display (user interface 42 that includes the touch screen buttons 40 and/or slant-top version 3:42-46)(Fig.3; 4:13-25), the forwardly projecting ledge extending transversely to a plane of the game video display (Figs.1, 2); and one or more mechanical player control devices mounted on the forwardly projecting ledge adjacent to the player control video display (Fig.1); and the control device also can be integrated with the video screen (8:18-24). Regarding the limitation of "one or more mechanical player control devices mounted on the forwardly projecting ledge adjacent to the player control video display," since Alcorn et al. also suggest that a slant-top player control interface can be used, it is obvious to utilize the slant-top video screen together with the mechanical player control devices (40) mounted ledge (38).

Referring to claims 2, 5, 15-18, 20, 22, 23, and 25, Alcorn et al. further teaches the player control device includes a player control touch screen display (8:19-24); at least one player interface device mounted on the lower front surface of the gaming machine adjacent to the second additional video display; simultaneously with displaying the first game presentation component, displaying a fourth game presentation component on a fourth video display mounted on the front side of the gaming machine, the fourth game presentation component comprising a portion of the first game presentation; monitoring usage of the gaming machine or additional gaming machines in the gaming system to produce usage information and wherein the presentation switching instruction is issued in response to the usage information; simultaneously storing a first game presentation instruction set and a second game presentation instruction set at the gaming machine, the first game presentation instruction set being executable to display the first game presentation and the second game presentation instruction set being executable to display the second game presentation; the presentation switching instruction at least partially based on conditions of the gaming system is performed based on conditions of the gaming system monitored by the gaming machine. Note that, the features of first, second, third, and fourth displays and their placements are inherent from the integrated display 16 which has three separated regions 15, 17, and 19 and are flexible to be configured (Figs. 1, 2; 3:54-4:25); and further, similar result from Alcorn et al.'s teaching can be achieved by implementing more contiguous displays (6:28-46).

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Claims 6-13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alcorn (6,620,047) and Hedrick et al. (6,135,884) as applied to claims 1-5, 14-18, and 20-24 above, and further in view of Wain (4,335,809).

Alcorn and Hedrick et al. teaches all limitations of claims 1-5, 14-18, and 20-24 above. Hedrick et al. further teaches a number of gaming machines in a network (9:34-50). Alcorn and Hedrick et al. do not explicitly teach the limitations of a game modification controller in communication with each respective gaming machine, the game modification controller for selectively communicating presentation switching instructions to each respective gaming machine, the presentation switching instructions being executable at the gaming machine to cause the respective gaming machine to switch the content of each video display in the operation of the respective gaming machine from content for a first game presentation to content for a second game presentation (claim 6); a game presentation server with a presentation storage arrangement for storing multiple sets of presentation instructions, each set of presentation instructions being executable at a respective one of the gaming machines to define at least a portion of the video content of at least two different video displays on the respective gaming machine during the operation of the respective gaming machine (claim 9); the game modification controller is also for directing the transfer of a new set of presentation instructions from the presentation server to a respective one of the gaming machines in connection with presentation switching instructions communicated to the respective gaming machine (claim 10); a gaming machine usage monitoring arrangement for monitoring the usage of at least a portion of the gaming machines and

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providing control inputs to the game modification controller based on the usage of at least a portion of the gaming machines (claim 11); the game modification controller communicates presentation switching instructions to a respective gaming machine in response to a player input at the gaming machine (claim 12); storing a second game presentation instruction set at a game presentation server remote from the gaming machine; and communicating the second game presentation instruction set to the gaming machine to facilitate the display of the second game presentation at the gaming machine (claim 19).

Wain, however, teaches a game system comprising a number of gaming machines (22); a game modification controller (3) in communication with each respective gaming machine (Fig. 1), the game modification controller for selectively communicating presentation switching instructions to each respective gaming machine, the presentation switching instructions being executable at the gaming machine to cause the respective gaming machine to switch the content of each video display in the operation of the respective gaming machine from content for a first game presentation to content for a second game presentation (7:13-45); a game presentation server with a presentation storage arrangement for storing multiple sets of presentation instructions, each set of presentation instructions being executable at a respective one of the gaming machines to define at least a portion of the video content of at least two different video displays on the respective gaming machine during the operation of the respective gaming machine (7:36-45); the game modification controller is also for directing the transfer of a new set of presentation instructions from the presentation server to a

respective one of the gaming machines in connection with presentation switching instructions communicated to the respective gaming machine (7:1-12); a gaming machine usage monitoring arrangement for monitoring the usage of at least a portion of the gaming machines and providing control inputs to the game modification controller based on the usage of at least a portion of the gaming machines (6:63-67); the game modification controller communicates presentation switching instructions to a respective gaming machine in response to a player input at the gaming machine (2:22-4:3; 5:21-6:30); storing a second game presentation instruction set at a game presentation server remote from the gaming machine; and communicating the second game presentation instruction set to the gaming machine to facilitate the display of the second game presentation at the gaming machine (5:21-6:30); wherein the step of producing the presentation switching instruction at least partially based on conditions of the gaming system is performed based on conditions of the gaming system monitored by the gaming machine (4:4-5:11). It would have been obvious to a person of ordinary skill in the art at the time of the invention was made combine Alcorn et al. and Hedrick et al. with Wain's entertainment gaming network to enhance user interface in gaming machine by providing more bonus game information to game player, and further provide more bonus games and simplify game machine repair and maintenance.

Response to Arguments

Applicant's arguments with respect to claims 1-13 and 25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh-An D. Nguyen whose telephone number is 571-272-4440. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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SUPERVISORY PATENT EXAMINER
TC3702

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